

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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IN RE: : CASE NO.: 23-41307-nhl  
Jesus Bolivar Moya, : CHAPTER: 7  
Debtor : HON. JUDGE.:  
: Nancy Hershey Lord  
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**ORDER GRANTING RELIEF FROM AUTOMATIC STAY AND IN REM RELIEF**

**WHEREAS**, on or about April 18, 2023, this case commenced upon the filing of a Voluntary Petition for Bankruptcy under Chapter 7 of the United States Bankruptcy Code in this Court; and

**WHEREAS**, on or about May 18, 2023, a motion was filed by SN Servicing Corporation as servicer for U.S. Bank Trust National Association, as Trustee of the Lodge Series III Trust (with any subsequent successor or assign, the “Movant”) seeking an order granting relief from the automatic stay pursuant to 11 U.S.C. § 362(d)(1) and (d)(2), and in rem relief under 11 U.S.C. § 362(d)(4) with respect to the property located at 1309 Gates Avenue, Brooklyn, New York 11221 (Borough: Brooklyn; Block: 3333; Lot:152) (the “Property”); and

**WHEREAS**, on June 28, 2023, this Court held a hearing on the motion, at which Katherine Heidbrink, Esq. (Counsel to Movant) and Elba Benitez (Co-Borrower) appeared;

**NOW, THEREFORE**, it is hereby

**ORDERED**, that the Motion is granted as provided herein; and it is further

**ORDERED**, that the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is vacated under 11 U.S.C. § 362(d)(1), (d)(2), and (d)(4) as to the Movant's interest in the Property to allow the Movant's enforcement of its rights in, and remedies in and to, the Property; and it is further

**ORDERED**, that pursuant to 11 U.S.C. § 362(d)(4), provided that this order is recorded in compliance with applicable State laws governing notices of interests or liens in real property, this order shall be binding in any other case filed under the Bankruptcy Code purporting to affect the Property that is filed not later than two years after the date of entry of this order; and it is further

**ORDERED**, that the Movant shall promptly report any surplus funds generated by the sale of the Property to the Chapter 7 Trustee.

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Dated: July 16, 2023  
Brooklyn, New York



*Nancy Hershey Lord*  
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Nancy Hershey Lord  
United States Bankruptcy Judge